

**PLEASE TAKE NOTICE** that, upon the accompanying memorandum of law, Declaration of R. Scott Greathead, Declaration of Susan Sawyer, the annexed Complaint, and all pleadings and papers on file in this action, defendant Yale University, by its attorneys, Wiggin and Dana LLP, will, on Thursday, December 6, 2007, at 2:15 p.m. or as soon thereafter as counsel may be heard, move this Court, located at the United States Courthouse, 500 Pearl Street, New York, New York, courtroom 15-A, for an order pursuant to Rules 12(b)(4), 12(b)(5), and 4(m) of the Federal Rules of Civil Procedure dismissing the complaint against Yale for defective process and defective and untimely service of process or, in the alternative pursuant to 28 U.S.C. § 1404(a), to transfer this action to the United States District Court for the District of Connecticut, together with such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that plaintiffs Alexandra Gerena and Constance Gerena shall serve their opposition papers, if any, on or before Monday, December 3, 2007, at 12:00 noon, and defendant shall serve its reply papers, if any, on or before Wednesday, December 5, 2007, at 12:00 noon.

WHEREFORE, it is respectfully submitted that the Court should grant this motion and either dismiss the complaint against Yale or transfer venue to the District of Connecticut.

Dated: New York, New York  
November 19, 2007

**WIGGIN AND DANA LLP**

By: /s/ R. Scott Greathead  
R. Scott Greathead (RSG 7824)  
450 Lexington Avenue, Suite 3800  
New York, NY 10017  
Tel.: (212) 490-1700  
Fax: (212) 490-0536  
Email: sgreathead@wiggin.com

*Of Counsel:*  
Brock Dubin (BD 0315)  
**Donahue, Durham & Noonan, P.C.**  
741 Boston Post Road  
Guilford, CT 06437  
Tel.: (203) 458-9168  
Fax: (203) 458-4424  
E-mail: bdubin@ddnctlaw.com

*Attorneys for Defendant Yale University*

To: David Rabin, Esq.  
**Rabin Law Office**  
3889 Crompond Road  
Cortlandt Manor, NY 10567

*Attorneys for Plaintiffs*

Richard Emery, Esq.  
**Emery Celli Brinckerhoff & Abady LLP**  
75 Rockefeller Plaza, 20th Floor  
New York, NY 10019

*Attorneys for Defendant Gregory Korb*